



2.) Plaintiff was warned that the failure to provide the necessary information within a specific time period may subject the case to dismissal. (*Id.* at 1.) The time for Plaintiff to file a response to the August 21, 2024, order has expired, and Plaintiff is presumed to have received the proper form order. Instead, Plaintiff has sent two non-responsive, incoherent letters to the Court, but he has not provided the information as directed by the Court.

### **B. Report and Recommendation**

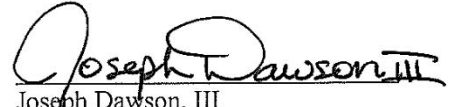
The Magistrate Judge reviewed Plaintiff's *pro se* complaint under the procedural provisions of 28 U.S.C. § 1915. On September 27, 2024, the Magistrate Judge issued the Report based on his initial review of the pleadings. The Report recommends "[Plaintiff's] case be dismissed without prejudice, pursuant to Fed. R. Civ. Proc. R. 41[]" because "Plaintiff . . . failed to properly respond to the order within the time ordered." (DE 12 at 2.) Plaintiff did not object to the Report.

### **C. Discussion**

It is well established that a district court has the authority to dismiss a case for failure to prosecute. "The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962). In addition to its inherent authority, this Court may also sua sponte dismiss a case for lack of prosecution under Fed. R. Civ. P. 41(b). *Id.* at 630. As Plaintiff has failed to prosecute this case and has failed to comply with an order of this Court, the Court adopts the Report (DE 12) and

incorporates it here by reference, and the case is dismissed without prejudice under Rule 41 of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

  
Joseph Dawson, III  
United States District Judge

November 5, 2024  
Florence, South Carolina

**NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.